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LAW DEPARTMENT

NOTIFICATION

The 13th February 2009

No. 2412/I-Legis.31/2008—The following Act of the Orissa Legislative Assembly having been assented to by the Governor on the 3rd February, 2009 is hereby published for general information.

ORISSA ACT 11 OF 2009

THE ORISSA MUNICIPAL (AMENDMENT) ACT, 2008

AN ACT FURTHER TO AMEND THE ORISSA MUNICIPAL ACT, 1950.

BE it enacted by the Legislature of the State of Orissa in the Fifty-ninth Year of the Republic of India as follows :—

Short title
and
commence-
ment.

1. (1) This Act may be called the Orissa Municipal (Amendment) Act, 2008.

(2) It shall come into force on such date as the State Government may, by notification, appoint and different dates may be appointed for different Municipality.

Amendment
of heading
of Chapter
XXV-A.

2. In the Orissa Municipal Act, 1950 (hereinafter referred to as the principal Act), in Chapter XXV-A, for the heading “OTHER POWERS OF MUNICIPALITY”, the heading “OTHER POWERS AND DUTIES OF MUNICIPALITY”, shall be substituted.

Orissa Act
23 of 1950.

Insertion of
new section
374-B.

3. In the principal Act, in Chapter XXV-A, after section 374-A the following section shall be inserted, namely:—

“Duties of
Municipality.

374-B. (1) Every Municipality shall maintain its records duly catalogued and indexed in such manner and in such form as may be prescribed for the purpose of facilitating access to information specified under sub-section (2).

(2) It shall be the duty of every Municipality to publish, save as otherwise provided, at quarterly interval,—

- (a) particulars of its organisation, functions and duties ;
- (b) the composition of council, committees and other bodies, by whatever name called, constituted, if any ;

- (c) minutes of proceedings of meetings of the council, committees and other bodies ;
- (d) a directory of its officers and employees ;
- (e) particulars of powers delegated to the officers and servants of the municipality, if any, to grant concession, permit, licences, or authorisation for each activity;
- (f) audited financial statements consisting of a balance sheet, receipts and expenditure and cash flow statement prepared in the form and manner prescribed on at least half yearly basis within two months of end of each such period ;
- (g) statutorily audited financial statements of the year within three months of the end of that year ;
- (h) particulars of each of the service undertaken by it ;
- (i) particulars of all plans, proposed expenditure, actual expenditure on major services provided or activities performed and reports on disbursement made ;
- (j) details of subsidy programmes on major services provided or activities performed by it and details of beneficiaries of such programmes including the manner and criteria of identification of such beneficiaries ;
- (k) particulars of the Master Plan, Town Development Plan or any other development plan concerning to its area;
- (l) particulars of works as may be specified by notification, by the State Government, in the official Gazette, together with information on the value of works, time of completion and details of contract ;
- (m) particulars of taxes, fees, fines, rents and such other sums received by it under this Act or otherwise and credited to the Municipal Fund in the previous year ;
- (n) the taxes, fees, fines, rents and any other sums that remain uncollected and the reasons thereof ;
- (o) amount of tax assigned to it from out of any tax levied and collected by the State Government ;

- (p) grants released by the Central or State Government for implementation of any scheme, project and plan assigned or entrusted to it and the nature and extent of utilization ;
- (q) donation or contribution received, if any, from public or non-Governmental agencies ;
- (r) annual budget allotted to each ward ;
- (s) any permission or approval given for installation or eviction of any high-rise tower in Government land or in private land and building with terms and conditions of such approval or permission ; and
- (t) such other information as may be prescribed.

(3) The information specified in sub-section (2) may be published by at least two modes, as the Municipality deems fit, such as affixing it on the notice board of the Municipality or publishing it in the newspaper in regional language having wide circulation in the concerned municipal area or by posting in internet or by public announcement or by any other mode, as may be prescribed.”.

By order of the Governor

B. K. NAYAK

Principal Secretary to Government